"THE LIFE OF FERNANDO WOOD." WHAT WAS WRITTEN AND WHAT OMITTED. THE LOST CHAPTERS OF LIVY. THE MISSING DETAILS BRIEFLY SUPPLIED

This volume of 335 pages, appropriately written by the author of "Bloodstone," was published simulta neously with the Biography of James Gordon Bennett and no doubt will go down to posterity side by side with its companion volume. The life of such a man as Fernando Wood, however, contains too many morals for the rising generation not to be dwell upon long before posterity begins to study its details: and we shall beg pardon of our columns for one day in not only digesting the book before us but adding such later facts as are necessary to a full understanding of

The volume is dedicated, "by permission," to the Hop. Edward Everett, and no doubt has a place in his hbrary in very elegant binding. Upon the back of the copy before us, however, is a gilt figure of Justice holding scales-one of which is much lower than the other-and with both eyes bandaged, while the right hand grasps a stordy shillelah. Upon the sides is a vignette of remarkable groupings: in the center appears the bust of the Mayor; around his head is a wreath of laurel; under his breastbone is a scroll inscribed 'Constitution;" the American eagle is screaming over his left shoulder, sustaining a bunch of arrows in biclaws, and having his bill extended angrily in the direction of the "biographist;" a female figure at the right is blowing a horn over his head and holding a staff to which are affixed two flags-one blawing northward and the other southward, and underneath these groupings are the words, "right makes might." The motto is undoubtedly a misprint of his favorite sentiment, might makes right. The scroll is sarcastically suggestive of his defeat on the Police question. The acreaming carle is emblematical of the honest population of New-York. The wreath is typical of the first merchants who requested him to be a candidate. The horn is suggestive of his various proclamations. The woman represents the goddess of fortune, and the flags flying northward and southward eminently appropriate to the position of the Buchanier party. So much for

the outside of the volume.

The first chapter is devoted to one of the Mayor's peculiar essays, and the headings are " National and municipal government-pecul arities of government "in the United States-peculiar condition and wants of " New York City." Most of this chapter has been from time to time retailed through the columns of The Herald. Chapters 2 and 3 tell how Heary Wood, a Welsh Quaker, emigrated to the new world in 1650, and founded the Fernandy family. He was, no doubt, a good man, and stands at the root of the same family tree which has had a theatrical manager, a lottery dealer and an indicted felon for recent branches.

The father of the present Mayor was a merchant in Philadelphia, who, enduring bankruptcy, rouned to Kentucky, Missouri, New Orleans and Havana, and, finally, settled in New-York. The old inhabitants of Market street still remember him as a very honest old gentleman, who died in 1832. The Mayor was born at Philadelphia in 1812. When one year old "he was visited with severe illness." The father was told by the physicians that Fernando (who had been so named from his mother's seeing the name in the then popular remance of the "Three Spaniards"), must die, whereupon "he fell upon his knees and with tears plend to God for the life of his child, and God heard his "prayer and in His pity granted it." So says the biographer; but readers will remember on old superstition about children saved by prayer to become curses in after life. The young boy, at sight, was duly bricked by Mr. James Shea, who afterward became such a terror to the boys of Columbia College Grammar School. We believe Mr. Shea is not now alive to be a-shea-med of his pupil. At the age of 13 the young Fernando entered an "exchange office." Whether this was of the stamp which, while he has been Mayor, have very extensively been petted, the biographer (who, no doubt, knows all about the mys terious little broker shops about town), does not tell us. There is, at page 43, an unctuous mention made of the young man while temperarily at Harrisburgh, Virginia, "knocking down a Virginia State Senctor in a row with a cnair, for which he was imprisoned. This is probe bly thrown into the volume as a rap for the Jim living crowd of readers. On a succeeding page, another queer incident is thrown in, which must given verbatim:

be given verbatim:

"He had begun to smoke at thirteen years of age, and the habit had attained to a precocious inveterary. Now leaning over the rail of the Philadelphia steamboat enjoying his cigar, about the twentieth for the day, he was accosted by a benevolent looking old Quaker.

"Friend, thee smokes a good deal," quoth Broad-

brim. ... Yes, Fernando confessed he did.

"Well, don't thee smoke any more."
"I won't, was the reply, and the half smoked eigar
was committed to the deep, and a resolution framed
which has never since been broken!!!"

Ladies and the civilized world in general will wish that this Quaker had traveled more extensively; for certainly a more remarkable conversion is not on record since the days of Saul of Tarsus. But if Fernando Wood never smoked cigars, there is abundant evidence of his smoking the community pretty effectually. In curious opposition to his reform, he is stated to have almost immediately gone to Richmond, Virginis, and taken charge of a tobacco factory. His next move was toward theatricals, and for nearly a year he was upon the stage. What parts be played the biographer does not mention, but perhaps Apostate," "The Black Prince," and "Don John" (the villain in "Much Ado About Nothing") were as excellent and suitable parts as he could have selected. But the managers shelved him, and he then came to New-York and established himself successively as a elgar dealer and as a vender of grog in the Fourth Ward. Rum was the means of setting him up in the world, and those who have had the "pleasure" of dining with him since his accession to the Mayora ty remember how keen and exquisite is his selection of wine and other bitters. Rum got him into politics, too, and the primary people immediately recognized in him an unscrupulous ally and an unprincipled wirepuller. So, promotion soon came, and in a few years he had bounded up to a nomination for Congress.

This was about the period of his first marriage over which the biographer has very consideratel thrown the mantle of charity and silence. A divorce ended this demestic chapter, and so we shall make n further mention of details, which probably more em bittered Mr. Wood's life than have even his difficultie with the crimin ! . ourts.

Mr. Wood's confecres in Congress were Joh McKeon and Judge Roosevelt, neither of whom, after their political connection ended, would have anythin whatsoever to do with him-a very £: commentar on their social intercourse. The biography woul make out that he enjoyed the friendship of John Quincy Adams and Henry Clay while in Congress; but, fortunately for the statement, both of these gen tlemen were dead at the time of its publication. The lie is therefore a very cheap one, and can be refated any morning by a call on Mr. McKeon, who can tell

to the crossing a "t" what his life in Washington was. To believe the biography, Mr. Wood's career in Congress was a series of triumphs on the ficor and in committee; and, accordingly, one-quarter of the volume is devoted to three speeches on "Bank," "Tariff" and "Naval Reform," which will not, we venture to say, appear in the twenty volumes of Benton's "Debates," if the old veteran lives long enough to come down to 1810 in his collection. The speeches, however, seem to fill up a remarkable histue by the biographer of fourteen years of Mr. Wood's Me; for the pages take the reader directly from the Capital to the City Hall; and, in justice to the sab-

ject, we must fill up this remarkable void. After returning from Washington, Mr. Wood 1s1 a quiet way so quiet that the directories from 1842 to 1848 merely give bis name and business as a shipping merehant) he was laying up dollars occasionally dat bling in his old "exchange business." During one of these years, he kept an account at one of the banks, and the account was rather that of a picker up of unconsidered trifles than that of a millionaire. One day, a deficit of over a thousand dollers was discovered in a customer's account, and search was made through all the books, high and low, to find it-at first without success. But at length the identical sum, with a few dollars added, was found to have been execked out by Mr. Wood, who never before had drawn so large sum. Inquiry was made: at first be equivocated on the subject, but, as his past-book contained no such 'day entry," but merely had it added in a balance carried from the "Journal," the future associate of Mike Murray & Co. was rather cornered and, on prosecution being waived, gave up the plunder. For ome days, the thing became a matter of financial gos sip in Wall street, and the victim tried to treat it as a cke, but even the lame ducks of that immaculate dreet our fessed that the joke was a very melancholy

California was next looming up in the golden distance. Mr. Wood had married again-and a very estimable lady from Auburn, N. Y .- and among his rural acquaintances was a gentleman named Edward E. Marvine, of that lovely villege of the Cayuga plain. Mr. M. had some floating capital, and, of course, it was very natural to thirk of putting it affoat in a ship and cargo for California, when his new friend Wood, with all that superfluity of rhetoric for which he is famous in proclamations, painted the profits of the new El Dorado. The commercial world had all heard of Thomas O. Larkin, United States Consul at San Francisco, and when Wood showed Marvine a letter from this Larkin, recommending certain ventures, Marvine was convinced. Now, this letter has since been proven to be a forgery and a false token, but it was "a good enough Morgan" for the occasion. Accordingly, Marvine promised to go haives, and Wood was to buy a ship, stock it and send it to the Pacific. The story is pretty familiar new-a-days, and the readers of the TRILUNE have perced it time and again. At all events, in the Octo ber term of the Superior Court Mr. Curtis Noyes will be called upon, for the benefit of the political world in general, and of Mr. Marvine in particular, to again state the whole story from the sworn evidence taken up on appeal It is to be hoped that Mr. Noyes will dress up the story as handsomely as he did that of Huntington, a later felon and a fresher forger in the public eye. Marvice was not only cuped in the end, but swindled. The false token which begat the confidence was followed up by the felse pretenses which on final settlement obtained a double allowance of money from Marvine. In November, 1851, Marvine procured an indictment. The charges were plain and positive and the proof was handy; but the culprit dered not face the facts. He moved to quash the indictment because on its face it appeared that three years had clapsed since the commission of the alleged offense. Messrs. Whiting and Ogden Hoffman appeared for him, and, after learned refinements, the presiding Judge declared that "time was up by one day!" Thus Wood saved his Sing-Sing bacon as Menarque won the "Goodwood," by a length, and Marvine and justice were in the condition of Pryor and Prioress-very badly jockeyed. But Marrine did not sleep here, but commenced a civil suit to recover many thousand dollars, setting up all the frauds. What is better, he proved them; and John Cochrane, as one of the referees, was obliged to give judgment affirming these frauds against his political erony. This is the suit now on appeal before the Saperior Court, and these are some of the matters omitted from the biography, like the missing chapters of Livy. Nor are the words catera desunt interpolated to explain. Nor are any of the "stars" Mr. Wood must have seen during their transaction inserted. Not even a passing mention is made, with the commentary of "persecution."

But also during these fourteen years of biographical silence Mr. Wood's political ambition had not slum-bered. He was determined to be Mayor of New-York City. In the Autumn of 1850, greatly to the chagrin of his ewn party and to the astonishment of a l classes, he was nominated for Mayor against A. C. Kingsland. He had quietly packed his delegations and came up as a little joker. Instantly the record of his peculiar transactions regarding his bank and partnership accounts were made public, and he suffered an inglorious defeat. But our here has one virtue-tenacity of purpose. The burglar who fifty times tries the safe of a panker is not more constant to his plans than is Mr. Wood to his own desires. He set himself down to be Mayor. One term passed by and sprung into existence, and to the Nineteenth Ward lodge he came one night seeking admittance, and, after duly swearing hostility to the Roman Catholics and eternal allegiance to all the Grand Moguls of the Native party, took his seat among the faithful. One night he was at the Council damning the Pope, and the next he was in the Coal Hole of Tammany Hall toasting him with the Mickey Frees of the Fourth and Sixth Wards. His old experience with the sock and buskin here came into excellent play, and no actor ever played the hypocrite to greater perfection. For a time, he was success inl. Indeed, he had been in the County Nominating Convention of the Know-Nothings, balloted for Mayor, and when beaten by James W. Barker gracefully arose and, acknowledging the "corn" of his defeat, gave is his adhesion to the American faith and was baptized anew. Tammany was governed then by the Siamese Twins of Hards and Softs. The Hards presented Wilson G. Hurt for Mayor (falsely stated in the biography to have been nominated only by the Reformers), but the Softs had been molded by Fernan to Wood, Brother Ben and the exchange offices. There was an election with four candidates, and "Barker" was beaten by the "biter." "Beaten on the returns," said Chauncey Shaffer in a speech after the canvass; and of this there was no doubt. The first flagrant case of altering returns (by diminishing one of the candidates to the extent of a few votes to the profit of another) was here made public; for the poll had been too well watched by the "Hunt" party to allow of the "ballot-box stuffing" and "rotating voters," which on subsequent elections were introduced under the auspices of the Mayor's party.

The volume before us takes up the thread of biographical parrative from the induction into the Mayoralty, and from this point goes on the latter half of the volume, full of proclamations and invendoes of eulogy, to which the allusions of his Congressional career were as saleratus to prussic acid. The break is amply supplied by the periods pompous and cothusiastic which flow from the pen of the author of "Bloodstone," and t must have been under the exhibaration of their reading that the merchants made up their card!

The biography shows conclusively how the Mayor began with his pendulum of government at the extreme end of reform, and then allowed it gradually to come back to the other extreme of municipal rascality and peculation, instead of rising by slow gradations to the point at which he started. His first message, contained in these pages, is everything a people could desite, but there is not one single line in it which his administration has not falsified from beginning to end. And we venture to assert that there is no man his friend to-day who was a friend to him a year ago. A new dynasty has come to his bosom, and all the old friends he had have left him. As it is one peculiarity of Fernando Wood to say one thing and do another, so it is his peculiarity never to keep a friend or a confident lenger than it is necessary to use him, and then throw him away, unless the alarm has first been taken by the other side. In the Winter of 1855, a dining party assembled at his house. Those present were General Scott, Washington Irving, Horatio Seymour, John Van Buren, Isaac V. Fowler, Lorenzo Shepard, James M. Smith, George Bancroft, Robert J. Dillon, and James E. Cooley. The invited list yet lives in the handwriting of William M. Cooke, esq., Mayor's ex-Clerk: but of all these names there is not one but

Wood, and some of them men whom he has betrayed. this fact sufficiently attents the of refuent as to he

How he bamboozled the Temperance monardinen

the liquor dealers -- how he bought and sold Bill Wiley-

how he has tricked Sickles and Busteed-how he man aged the Joseph Warker mystery-how he got up the Common Council bribery cases, and then left the Court in a lurch for the proper evidence, ending by writing a letter for Anson Herrick as "Storekeeper!"-how he humbugged the citizens with his police and then humbugged the police with the citizens-how he gave the model medals and hired carriages—how he appointed Ben Fairchild and Brother Ben his financial whippersin-how he loaned money to Judge Suart on mortgaged property in hopes to get police votes à la Cholwell-how he again and again bamboozled Judge Capron-how he threw off Recorder Smith-how he bargained with Bennett for the nomination, election and support of Russell-how he made a foray on the model artists adjoining Brother Ben's property in Grand street-how he removed Capt. Walling for venturing to serve the gambling warrants of Judge Capron-how he intrigued for the Governorship and got beaten-how he worked through "Small" and labored through "large-ess" at A bany for the nomination of United States Senator-how he decimated the Grand Jury list of his enemies and substituted the strange faces of his friends-how he unfortunately exposed his hand to Lorenzo B. Shepard and got denounced-how he caused to be drawn up the very City Hall, Central Park and Supervisor acts in 1856 which in 1857 he denounced because they cut off his patronage-how he tried to cheat Harry Howard as rominee for Receiver of Taxes and got old-how he tried to floor his old friend Ald. Brown for Tax Commissioner, and was benten at his own game-how he was discovered at Washington and turned cut to the party commons by President Buchanan, to whom he addressed an insulting note on his departure-how he promised to resign if the Police bid passed and didn't, after his thren; had contributed more than anything else to its passage—how the new charter is almost a copy of his own, less the right of the Common Council to levy and collect taxes at pleasure and of himself to appoint an autocratic executive council of Departments, and make Controller and Cornsel deperdent on his will-how he quarreled with his old friend Jay Jarvis of the Citizens' Bank to take up with the new love of the Shoe and Leather Bank, where Brother Ben and crony Hodges are concernedbow he stuck to the City Treasury to put gas lamps all the way out to his house near Seventy-ninth street and no further-how he managed the Inspectors and baliot-boxes at the last election-how he instructed certain Policemen at the divers polls-how he turned out Capt. Halpin, who had been to him a faithful servant-how he assessed the Police for his election as Mayor and for the Police contest-how in his own office he polled the Court of Appeals politically, and was careless enough to drop the bit of paper evidence ing it, which is still in existence-these-all these are not to be found in any published biography of Fernando Wood. But if rumor speak truly, before many weeks clapse those and other details in his career well known in various circles will be presented to the world beyond the possibility of hush money.

THE GANSEVOORT TRANSACTION.

HISTORY OF THE JOB.

THE CONTROLLER'S COMMUNICATIONS.

JUDGE MITCHELL'S OPINION.

ATTEMPT TO REPURCHASE THE PROPERTY.

In pursuance of our obligations to the public to let the light shine upon the dark places in the City Hall, and show up in their true colors the operations' there undertaken at the expense of the tax-payers, we turn our attention to the famous

Fort Gansevoort job, and present a succinct history of the transaction. That the present Common Council, in large majority. are making bold efforts to vie with, and far surpass the old "Forty," is quite apparent. Extensive schemes ere on foot to defraud the city out of hundreds of thousands of dollars, and increase the taxes to an amount never contemplated, and all these will be car-

ried out if some strenuous action is not taken to pre-

vent their consummation. The public are well informed on the Lowber transaction. Next to that on the programme stands the Gansevoort Property, by which the Common Council another came. The Know-Nothing organization had | want to make the ever patient tax payers pay \$396,000 for lands decided to belong to the city! As the meas ure has already passed the Board of Aldermen, it may be expected up this session in the Board of Councilmen

for a concurrence.

THE TRANSACTION ORIGINATED. On the 3d of August, 1852, Alderman Sturtevant of the celebrated "Forty" rose in his seat with his characteristic dignity and presented a pecition, which purposted to be from D. R. Martin, to purchase the piece of land between Twelfth and Gausevoort streets, North River, and had it referred to the Committee on Fipance. On the same day, a petition of H. R. Conklin, for the same, was presented; and subsequently other applications were sent in, some of them perhaps genu-ine, but most of them believed to be bogus, just to give a little apparent interest to the object. The Committee, on the 15th of November following, reported that they found it would be to the interest of the city to sell the property, and recommended that it be sold o Mr. Martin, the Sinking Fund Commissioners fixing the price. A motion to sell it by auction, according to aw. was lost; but finally this report was referred back. The plot thickened, lobbyists came into the Hall from different quarters, private negotiations and champagne suppers followed, and on the 17th November the subject came up again, in the shape of a petition for the purchase, with the name of Reuben Lovejoy, a respectable hotel-keeper, appended to it. This was referred to the same Committee. Mr. Lovelov was apprised the same night that he had been nade a "catspaw" of, and that his name would appear next morning in the papers as an applicant for the Gansevoort property. The object being explained by one of his boarders, that the proprty would, if awarded to that epplication, be purchased and paid for by Simeon Draper, Mr. Loveojy made no objections, although he was not to reap any

the fruits of the operation. On the 24th of the same month, the Committee Bard and Oakley) reported again, arguing like lawyers against the property, that it had cost the city the eum of \$98,921 24 for a bulkhend built upon it, and for making one-half of Twelf h street, \$85,000. Yes they would sell it for \$100 000! Oce excuse was that the land was "under water," the property needed filling up, and their object in recommending the disposal of it was to relieve the city from the expense of filling the same; and because, as soon as sold, it would become to rable. And then this wise and calculating Committee added: "The property in question is not, "nor will it, in the opinion of your Committee, "be required for public use." They, however, left it for the Sinking Fund Commissioners, of whom Ald. Bard (one of the Committee) was a member, to decide upon the price. Their resolution was to sell the proprty "to D. R. Martin, or either of the applicants Ald. Denman moved to amend by adding, "D. R. Martin and others," and insert "at public auction, which was, of course, lost. Ald. Denman moved another amendment to sell to any applicant, as well as those named, which was carried. The subject was then laid on the table.

HOW THE WIRES WERE OPERATED. To get an idea of the proceedings behind the curtain during the above proposed negotiations, we will take a peep into the testimony taken in private by Recorder Tillou in his celebrated investigation in 1854. Te expose and punish efficial corruption was then the hearned several tricks, and he west back to trade. In represents an open and avowed loather of Fernando | object of that vigilant public officer, and he would

answerable excuse of witnesses privy to dark traussetiens, that they might, by telling what they know criminate themselves. In relation to the Gameroor property operation, James B. Faylor was put on the stand, and said he was an applicant for the lands in question, his attention being first called to the object by a resolution which passed the Board of Aldermen, directing a sale of the property. He offered in his own name \$130,000, and he had a conversation with Mr. Draper and Mr. Varnum before sending in his petition. They agreed to join him in the purchase; it was understood Mr. Draper was to take the title. After this application, which was directly to the Comn issleners of the Sinking Fund, he had some talk with the members of that body, but not before then. The application of Reuben Lovejoy was put in at his request, and Mr. Lovejoy consented that when the sale was made, if to him, the conveyance should be made to Mr. Dreper. To the question whether there were means used to induce Alderman Bard to favor his application, he did not know. All he knew on the subject he had communicated to ex-Alderman A. H. Schultz. What the nature of this information was Mr. Taylor declined to answer, by the advice of counsel, on the ground that it might have a tendency to criminate himself.

An argument was here had by counsel, as to compelling Mr. Taylor to answer the question, and it was decided that witcess might, under the excuse he

claimed, decline answering. Ex-Ald. Shcultz, who was also understood to be an applicant and interested in the purchase, as well as, with Mr. Taylor, an active lobbyist around the Commen Council chambers, was the next called at this investigation. He first called on Mr. Taylor, to arrange with him for the purchase—they were both to be interested in the operation. Mr. Taylor was to make provision for raising the necessary funds. Part of the plan to defeat Martin and obtain the land was hat Mr. Schultz would "take care of two Aldermen," and Taylor was to " see Bard and others," but anything further on the subject this witness also declined to answer: his memory did not serve him, and he wanted time to reflect. This was on the 30th of May, 1854, and on the 14th of June following Mr. Schultz's examination was resumed, when the following significant dialogue took place:

Q. What was the plan arranged between you and Taylor as to the means you should use to defeat Martin and to procure the grant for yourselves!

A. I decline to answer that question, on the ground that the answer may tend to criminate me.

Q. Was the plan adopted subsequently earlied out?

A. I decline to answer mon the ground that the Q. Was the to answer, upon the ground that the

nower may tend to criminate me.

Q. Was there any money used, and if so, how much for the purpose of procuring the influence of any member of the Finance Committee or Commission-ers of the Sinking Fund, for the purpose of procuring A. I decline to answer, upon the ground that the

A. I decide to answer, upon the ground that the answer may tend to criminate me.

Q. Have you any knowledge of any money, property, or other valuable thing being given or promised to be given to any member of the Common Council, where the state of the common Council, either directly or indirectly, to influence any vote of votes, which any of them were to, or did give, on any subject in which you were not personally in-A. I do not recollect any instance coming to my knowledge, except what I have heard from James B.

Mr. Silas C. Herring testified that Mr. Taylor had

been to see him, to have him join in the purchase in question, but be declined; yet during his absence from the city, shortly afterward, a petition, with Mr. Herring's name forged to it, was prepared and sent to the Commissioners of the Sinking Fund, offering \$135,000 for the property.

Reuben Lovejov testified to having sent his name in

to the Common Council as an applicant, without mentioning terms; that the grant was made to his name, but he made no money out of the operation. He had the title made out in Mr. Draper's name, and a doubt presenting itself whether Mr. Draper, as a Governor of the Alms House, could legally purchase the land, he was subsequently induced to have the title made to Joseph B. Varnum and another party whose name he did not recollect. Mr. Lovejoy further testified that ore evening James B. Taylor came into his office and aid he had that day given his check for \$1,000, to one of the persons having the selling of the property. to keep another man's bid, which was much higher than his, from being handed in. Mr. Taylor farther teld him that it would cost him from \$40,000 to \$70,000 to get this operation (the purchase of the Gansevoort property) through the City Government.

WE RETURN TO THE CITY HALL. In the proceedings of the Board of Alderman, Dec. 8, 1852, we find that the report directing the Commissioners of the Sinking Fund to sell the property to Martin or any others, as amended, was called up and

AFFIRMATIVE—Moore, Haly, Stortevant, Barr, Tweed, Compton, Erisley, Francis, Smith, Pearsall, Bard, Ward, Cornell, Doberty and Peck—15.

NEGATIVE—Boyce and Denman—2.

The paper was then sent to the Board of Assistants,

where the lobbyists had everything satisfactorily arranged, and on the 20th of the same month, the stupendous job was concurred in by the following vote:
AFFIRMATIVE—Brown, Tait Mabbat, O'Brien, Reiman,
Bresion, Woodward, Ring, Wells, Anderson, Bouton, Wright,
Barker, Rosers, Valentine, and McConkey—16.
MEGATIVE—McGown and Wheelan—2.

The Mayor signed the document, as it passed by a vote which would swamp his veto had he thought proper to interpose, and it was immediately sent to the Commissioners of the Sinking Fund for consummation. This body was then composed of Mayor Kingsland, Recorder Tillou, Controller Taylor, Chamberlain Knapp and Ald. Bard, and Assistant Ald. Wells, Chairman of the Finance Committee.

HOW THE SINKING FUND COMMISSIONERS PUT IT THROUGH.
On the 22d of December, these Commissioners took

up the paper from the Common Council, and laid the subject over to the 21th, when it was again taken up, and proceedings had to fix the terms. Twenty five per cept of the purchase-money was to be paid on delivery of the deed, the balance to remain on bond and mortgage, &c -the grantees to give the Corporation the privilege of depositing coal-ashes from the Fifth, Eighth, Ninth, Fifteenth and Sixteenth Wards, and thus make land for the purchasers. The Recorder objected to every proposition, and contended they were illegal, that the only legal sale would be at public auction, and wanted to advertise the property for sale, but his suggestions were voted down. On this the Recorder entered a protest against the sale being made in the mapper sought, and the Commissioners adcurned to the 27th. Next meeting, the subject was reumed with renewed vigor. The Recorder offered a esolution that the sum for the property be fixed at \$300,000, which was voted down, all the Commissioners opposing it except the mover. The Recorder then offered a resolution that a minimum price be fixed, and bat the bighest sum offered by a responsible bidder above that figure be adopted as the price, which was elso lost. Ald Bard then offered a resolution fixing he sum at \$160,000, which was eagerly adopted, the Recorder only dissenting. Mr. Lovejoy's application did not name a bid, yet there had been on understanding, and a resolution was adopted (the Recorder dissenting) that the Controller issue a grant for land under water, including bulkhead, between Gansevoort and Twelfth streets, to Reuben Lovejoy, at the sum of \$160,000.

This resolution was carried into effect with all possible dispatch, except that the title was made out in the name of Simeon Draper, instead of Lovejoy. Next day it was discovered that Mr. Draper could not, as a ity official hold the property, and Controller Taylor, without weiting further action by the Commissioners, assumed the responsibility of making the grant to Joseph B. Varnum instead of Mr. Draper.

WAS THIS SALE LEGAL!

This action is contended to be one of the most glaring illegalities about the negotiation. Yet the whole proceeding showed all concerned in the transaction, except the Recorder, to have an utter disregard for every provision and ordinance for the protection of the

ity a rights. The ordinances-17th section, time 4, of 1844, ex-

pressly sad that all sales of real estate of the city tal be at public suction. The Commissioners, were the sale a legal one, should have auth-rized the transfer from Draper to Varnum, which the Controller took upon himself. They alone had the power, and not the Controller. With the title thus tainted, it seems plain enough to any person of ordinary sense that the quitclaim of Draper to Varnum had no validity, that Draper could not hold the property, and that the sale to Lovejoy was irregular and totally illegal.

THE SECOND PART OF THE JOB. Under these circumstances, it would naturally be expected by tax-payers that their agents in the City Hall would seek to vacate the bogus title, and reclaim the city's property. But no; this course would not be consistent with modern Common Councils-it is "not in their way." In the report of proceedings of the Board of Councilmen, June, 1854, it will be found that a measure had been set on foot to repurchase the property, to give the alleged purchasers a chance to make a bandsome profit in the operation, by paying \$393,000 for the same property for which they agreed to pay \$160,000. The purchasers from the Sinking Fund had doubts of the validity of their title, and would be glad to sell for \$320,000 and interest, although the same property is worth over half a million of dollars A committee, consisting of Messrs. Vermilye, Kennedy, Conover, Smith and Cooper, reported in favor of the repurchase.

A GROWL FROM THE WATCH-DOG.

Controller Flagg (who had come into office in 1853) having heard of this movement, apprised the Councilmen in an official communication that the sale to Mr. Draper and others was invalid. He believed they were under a misapprehension, and referred them to an account of the transaction in a report made by him April 4, 1853, to the Commissioners of the Sinking Fund. This document contains minute details of the transaction and important arguments, but it is too long for our present space.

The Councilmen were deterred from passing the report they hadifmade, and the subject was dropped or awhile, to await the action of the Supreme Court, the title being then under consideration. Some further attempts were made to lobby through a repurchase, but without success.

THE PROPERTY DECIDED TO BELONG TO THE CITY.

On the 26th of March, 1855, the title was decided by Judge Mitchell, of the Supreme Court, to be null and void. The Judge would not decide on all the points, considering the one point that the property should have been sold at public auction sufficient. His opinon was short, but conclusive. The case is before the General Term, and a decision may be expected very shortly. Judge Mitchell's decision was in the follow-

The individual defendants should reconvey to the Corporation, by a title free from all incumbrances, and with covenants against their own acts, and be repaid the amounts paid by them, with interest, and the mortgage be satisfied, unless the Corporation should mortgage be satisfied, unless the Corporation should elect to have the property sold at auction, and in a manner conformable to law, in which case the defendants would be bound by their purchase, unless the property should bring more than \$160,000, and the interest thereon. The costs of the plaintiff should be paid by the individual defendants; the Corporation should bear their own costs.

THE JOB IN THE PRESENT COMMON COUNCIL. Yet in the face of the decision and the facts of an illegal sale, the present Common Council, who, by their incendiary resolutions, aided in keeping the city in a state of mob excitement and under arms for weeks this Summer, claiming that the Legislature had wronged the city by taking away much of its power, comes boldly and abuses the power they already have, by offering to individuals \$3:3,000 of the city's money for land decided by the Supreme Court to be still the property of the city. Here is our phalanx of city guardians, with a scheming politician for a leader, asking the honest voters of the country to have compassion, and restore their rights-rights to coneive, plunder, swindle, and make the tax-payers bear the bur-

HOW THE ALDERMEN HAVE DONE IT, On the 6th of July last, Alderman Banta presented

the following:

Resolved. That a Special Committee of five be appointed to conter with the owners of the property between Gansevoort, and Twelth streets, West street and the North River, known as the Ganse voort property, for the purpose of ascerteining and reporting on what terms and conditions the same can be purporting on what chased by the Corporation.

This was adopted, and at a subsequent meeting Mr. President Clancy appointed as the Special Committee Aldermen Banta, McSpedon, Valentine, Steers and Drake. This Committee lost no time in making a report that holds out no prospect for the city but to pay \$303,000. These sages set up their opinion against that of the Supreme Court in this way: "Your Committee [they are induced to say], after a careful examit ation, cannot concur in the view of Judge Mitchell The property was valued by A. J. Bleecker, Esq., at \$635,000, yet the liberal "proprietors," instead of selling it at auction for about this sum, offered it to the city for \$320,000, with interest, &c., making in all \$393,000. The Committee excuse their indecent haste by asserting that the city requires the property immediate for market purposes, and to save time and legal difficulties.

This report was ordered printed on the 20th of Jaly, and after several efforts it was called up for action on the 5th of August. Ald. Moneghan had the chair. The document having been read, Ald. Tucker moved o postpone the subject until a decision could be made in the General Term of the Supreme Court, which motion was lost by a vote of 7 in the affirmative and 13 ni the negative.

Ald. Owens moved to postpone to the first Monday in September, which was also lost by the same vote.

Ald. Blunt moved to lay on the table. Lost. Ald Tucker opposed the repurchase The title, ccording to Judge Mitchell, was invalid. The sale of the property by the Commissioners had been, in his opinion, invalid, and it was the duty of the city authorities to await the final result. The report he denounced as entirely one sided, and disadvantageous to the city. The negotiation was another attempted outrage upon the city treasury, and he hoped the proect would be voted down.

Ald. Banta said this property was wanted for the purpose of a market, and the city could not wait for it orger. The Committee looked upon it in a business way, and came to the conclusion that it was the city's interest to purchase it.

Ald. Blunt contended that the title was invalid and that the property was now, in reality, the city's. If it was not, the proprietor would not be so auxious to sell it for the sum named. He meyed, therefore, that the subject be postponed, to await the decision of the A d. Blust moved to strike out \$393,000 and insert

\$100.000. Lost.

Ald. Jackson opposed hasty action on the subject, and was followed by Ald. McConkey, who denounced the project as most injurious to the interests of the Ald. Coulter sprung the previous question, which

was carried. The main question was then put, and AFFIRMATIVE—Aldermen Wilson, viz:

AFFIRMATIVE—Aldermen Wilson, Corwin, Healy, Hoffmire, Acame, Banta, Griffiths, Steers, McConnell, Moneghan, Fullmer, Cociter, Valentine and Drake—14.

NEGATIVE—Aldermen Harris, Tucker, Jackson, Biunt, McConkey and Owens—6.

And the same was directed to be sent to the Board of Councillmen for concurrence. WHAT WILL THE COUNCILMEN DO ?

It is more than probable that the Councilmen will oncur. The men who manage affairs of this magnitude would not be likely to risk the contingency of a disagreement, which would involve the more dangerous risk of the exposure of the entire job. Indeed,

reported favorably, and sent to the Committee of the hele. Here the cloven foot was manifested by proposition to strike out " in the vicinity of Fourteenth street" and insert "between Twelfth and Fortieth streets"-thus just coming down to the Gausevoot ine. An attempt to expange this failed, and the reso-

lution passed, 35 to 14. But the papers from the Aldermen, directing the repurchase of the property, take precedence. They were referred to the Committee on Markets, Mesers. Colyer, Bickford, Doty, Reynolds and Crane, whose

report may be expected early in the present session. Let the people watch and wait. The pretense of a market is a very good foil; but the business of marketbuilding by the city is exploded, and if the dictates of sound policy should by any possibility ever direct our local administration, all the markets would be forthwith sold into private bands-for why should the city build houses for fresh meat and potatoes more than for sugar and calicoes?

THE LOWBER JUDGMENT.

THE LOWBER JUDGMENT. SUPREME COURT-SPECIAL TERM-Sept. 5-Before have PRANCOV.

Robert W. Lowber agt. The Mayor, et al.

In this case the Judge this morning rendered the

following opinion: PEARODY, J .- An order requiring Mr. Stent, the City Chamberlain, to appear before the Court, or a Justice thereof, and answer concerning the property of the defendants, in his hands, has been obtained and served on him, and in the return thereof he appearand moves to dismiss the order. The defendants are judgment debtors of the plaintiff, who, having issued

programment deptors of the plannin, who, having issued execution on his judgment, has procured this order under section 204 of the Cede.

A stay of proceedings on plaintiff's execution had been obtained before this order, and Mr. Stout moves

to dismiss it. First, Because it was procured in violation of First, Because it was precured in violation of that stay. This order is not in violation of the stay, which, by its terms, is limited to proceedings on the execution. This is not on the execution, and the order staying proceedings in it does not prevent proceedings to enforce the judgment other than on the execution. It stays no proceedings for the collection or enforcement of the judgment other than those on the execution.

ment of the jadgment other than those on the execution.

Second, Because the term judgment debtor, used
in this action, does not include corporations like the
defendant in the suit. This defendant is a municipal
corporation: and the same language, "judgment,"
"judgment debtor," used in section 292, has been
held to include only natural persons, and not to embrace corporations when they are such judgment
debtors. But the ground for this construction of section 292 is not that the term judgment is not propelly
applicable to a corporation be a judgment debtor,
but because section 292, which relates to the present
examination, an eath of the debtor, cannot in practice
be enforced against an artificial being of legislative
creation, for such a debtor cannot take an oath. A
corporation is not succeptible of the application of that
remedy, by which the creditor is authorized to search
the conscience of his debtor.

No objection of the kind occurs to the application
for the examination of a debtor of a judgment debt, if
the order provided for in this section be in the case of
a corporation being the judgment-debtor, and it is applicable as readily as where the judgment debtor protesses to be a natural person.

Third, That Mr. Stout being an officer of this

plicable as readily as where the judgment debtor prolesses to be a natural person.

Third, That Mr. Stout being an officer of this
city, and having whatever funds he may have of the
city as its treasurer, is not liable to this proceeding;
that his possession is the possession of the city, as
that of a clerk is the possession of his employer. But
his possession is not entirely like that of a clerk who
keeps the money in his master's premises in his drawer
or safe, to which the master has constant access, and
the custody of which is with him, primarily. The
clerk has no custody adverse to his master, and none
except in subordination to him. If he has any other
custody or possession, he too, like the treasurer of a
corporation, would be liable to this proceeding. If
he as clerk have in his own possession property of he as clerk have in his own possession property of his master, he too may be examined under this section. Motion to dismiss the order denied.

A "HARD" TRIUMPH IN SYRACUSE.

Correspondence of The N. Y. Tribune. SYRACUSE, Sept. 4, 1857. The Hards and Softs had quite a commotion yesterday at their ward caucusses to elect delegates to a

District Convention to select a delegate to the State Convention. The candidates for State delegate were Mayor Williston (Soft) and John A. Green (Hard). The forces of the respective parties were marshaled from all quarters, and more labor and money were spent than ever known at any previous primary neetings. The feud between these factions has been rereasing in virulence ever since the city election last rereasing in virulence ever since the city election last Spring. Certain investigations in regard to charges of corruption of members of the Council and Council appointments have added fuel to the fire, until there is a very bitter feeling existing among the "harmonious Democracy" of our salt city. The Mayor's (Soft) party is ityled by their opponents the "Forty Thieves," and in one ward the Hard ticket was headed "Down on the Forties!" The Hards spared neither hard work nor money, and it is said the Hard candidate to the State Convention was up as early as o'clock in the morning of the day of the caucuses. date to the State Convention was up as early as o'clock in the morning of the day of the caucuses o'clock in the morning of the day of the caucuses, making arrangements for the contest. The result was a decided victory over the Softs. The Hards carried six of the eight wards, and claim the seventh, which broke up in a perfect row—the ballot-box or hat being kicked out of the window and the tickets scattered in the street. To-morrow, no doubt, John A. Green will be elected by the District Convention the State Delegate. His partner in business, J. M. Jaycox, is a candidate for Canal Commissioner on the State ticket.

These Pro-Slavery gentlemen act as though they

State ticket.

These Pro-Slavery gentlemen act as though they thought they might carry the State this fall, but the Republicans in this section of the State will do their part to prevent any such calamity befalling our good Commonwealth.

Flass.

MARINE AFFAIRS.

FOR EUROPE.

The British screw steamer Edinburgh, Capt. Cumninge, left on Saturday for Glasgow, with 28 cabin passengers, 71 in the steerage, and ,a large and valuable freight. Among her passengers was the Rev. E. Kincaid, Missionary to Burmah. The Vanderbilt line steamer North Star, Capt.

passengers and \$160,000 in specie. FOR CALIFORNIA. The Star of the West sailed on Saturday with the

Lefevre, sailed for Southampton and Bremen with 105

mails and passengers for California. LAUNCH OF THE SHIP RESOLUTE. At 10 o'clock on Saturday morning the ship Resolute

was launched from the yard of Wm. H. Webb, foot of Sixth street, East River, in the presence of several thousands of spectators. She had all her maste in, which were gaily dressed with stags, and the launch was everything that could be desired. The Resolute is rearly 1,500 tuns burden, 120 feet in length, 40 feet wide and 28 feet deep, built of live and white oak, and put together as strong as iron and wood can make her. She is for Mesers. Williams & Guion's Liverpool line of packets, and makes the sixth ship in their line which Mr. Webb has built within the past five years. She is to be commanded by Capt. Freeman, late of the ship Silas Wright, which was wrecked near Liverpool

while in tow of a steamtug. Edwin Croswell, late of The Albany Argus, now & esident of Hastings, was on Friday elected a Delegate to the State Convention, from the Second Assembly District of Westchester County.

Gov. Seward's Cruise—Gov. Seward took an excellent way to spend some of the hot days. The party left Quebec on the first day of August in a versel chartered by Gov. Seward for the trip. They were on board twenty-nine days. The vessel was of 35 tune burden, and possessed all the conveniences for such an excursion. The party went as far as the Minges. Islands on the coast of Labrador, and the Island of Antionati, regions lying some 400 miles beyond the Islands on the coast of Labrador, and the management of Anticosti, regions lying some 400 miles beyond the borders of civilization. The excursion, we are happy to learn, was a most agreeable one. The party return to learn, was a most agreeable one. The party return in excellent health. (Roch, Dem.

the Councilmen have been practically tested by a resolution to advertise for a market site (the entering wedge employed in the Lowber job) somewhere on the North River. The resolution, offered by Mr. Haswell, reads very insinuatingly, as follows:

Resolved. That the Controller be, and he is hereby, directed to solvertise for proposals for a site for a new market upon the North River, and is the sicisity of Powerteenth street, having as area of about three handred and twenty thousand square feet, or one handred and twenty thousand square feet, or one handred and twenty thousand square feet.

This was referred to this Beard.

This was referred to this Market Committee, dury